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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,693	07/30/2007	Jay C. Sinnett	MIC-94-PCT-US (P50-0161)	6632
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EXAMINER THOMAS, LUCY M				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/581,693

Applicant(s)

SINNETT ET AL.

Examiner

Lucy Thomas

Art Unit

2836

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-21 is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss (US 6,600,326, Search Report Document) in view of Koch (US 6,444,069, Search Report Document). Regarding Claim 1, Weiss discloses a method of tire inspection (Figure 1), comprising the steps of: providing a high-voltage power supply 19; providing a tire 20; providing a conductive wire 22; coupling one end of the conductive wire to the high-voltage supply (see 22 connected to 19 through 150 in Figure 1); configuring the other end of the conductive wire for contact with the tire (see Figure 5). Weiss does not disclose that the tire contains at least one tire electronics device mounted on a surface of the tire, and providing a physical barrier comprising a covering in proximity to the at least one tire electronics device, and applied over the tire electronics device, whereby damage to the tire electronics from effects of the high-voltage source is avoided.

Koch discloses a method of tire with electronic device assembly (Figures 1-7) having a tire 70 (Figure 7) containing at least one tire electronics device 32 (Figure 2) mounted on a surface 75 of the tire, provided with a physical barrier 52 (Figure 3) comprising a covering 40 (Figure 2) in proximity to the at least one tire electronics

device, and applied over the tire electronics device, whereby damage to the tire electronics from effects of the high-voltage source is avoided (Column 2, lines 21-22).

It would be obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Weiss and to provide at least one tire electronic device that is monitoring tire parameters, with a barrier in proximity as taught by Koch, and providing the barrier with covering to protect the tire electronics from damage (see Koch, Abstract, Column 4, lines 12-17).

Regarding Claim 2, Weiss discloses providing the other end of the conductive wire with a plurality of wires 22 (see 22 in Figure 1, 5).

Regarding Claims 6, 8 Koch discloses providing an insulative wall 40 such that contact with the tire electronics device by external parts configured for contact with the tire is inhibited (Column 4, lines 12-17).

Regarding Claim 7, Koch discloses that providing the physical barrier comprises covering the tire electronics device with a conductive material (52 is metal/conductive).

Claim 3 basically recites the elements of Claim 1, except that providing an insulative wall perpendicular to the tire surface is recited instead of a physical barrier comprising a covering, and applied over the tire electronics device of Claim 1, and Koch' insulative wall/barrier 40 is perpendicular to the tire surface (see Figures 1-4).

Regarding Claims 4-5, Koch discloses that the insulative wall at least partially surrounds/surrounds the at least one tire electronics device (see Figure 2).

Allowable Subject Matter

3. Claims 9-21 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter: Regarding Claim 9, closest prior art considered, Weiss and Starinshack combined, do not teach the feature of controlling the effective energy impressed on the at least tire electronics whereby damage to the tire electronics from effects of the high voltage source is avoided, therefore allowable. Claims 10-21 depend from Claim 9.

Response to Arguments

5. Applicant's arguments filed on 1/21/2010 have been fully considered but they are rendered moot in view of new grounds of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Adamson (US 6,725,713) discloses a tire 10 (Figures 3A, 3B) containing at least one tire electronics 28.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucy Thomas whose telephone number is 571-272-6002. The examiner can normally be reached on Monday - Friday 8:00 AM - 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fureman Jared can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lucy Thomas/
Examiner, Art Unit 2836, 2/27/2010
/Fritz M Fleming/
Primary Examiner, Art Unit 2836